



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ralf Wolleschensky

Application: 10/043,009

Filed: 1/08/2002

Art Unit: 2877

Confirmation No.: 6106

Examiner: To be assigned

Atty. Docket No.: 500343.20126

Customer No.: 026418

Method and Arrangement for
the Deep Resolved Optical
Recording of a Sample

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98. The items listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and is made of record to assist the Patent and Trademark Office in its examination of this application. Additionally, enclosed please find a copy of the European Search Report. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this paper (along with any document referred to as being attached or enclosed) is being

EXPRESS MAIL NO. EL 996 925 185 US

☒ Deposited with the United States Postal Service as Express Mail under 37 CFR 1.10 on June 7, 2007 and is addressed to the: Commissioner for Patents, Alexandria, VA 22313.

Ruth Montalvo

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☐ transmitted by facsimile on [date] to the U.S. Patent and Trademark Office.

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(Signature of person mailing paper or fee)

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1. ☒ Enclosed is PTO Form 1449.
2. ☒ Certain items listed on the enclosed Form PTO-1449 are not presented in the English language.
 - ☐ For each of the following items, an English-language translation of that item or a portion thereof or a concise explanation of the relevance of that item is attached:
 - ☐ For each of the following items, a concise explanation of that item is incorporated in pages 1 and 2 of the specification of the above-identified applications:
 - ☒ For each of the following items, a corresponding U.S. or other English-language patent is enclosed. Please consider the U.S. or other English-language patents in accordance with the procedure set forth in MPEP § 609:

DE Patent Application No. 199 30 816
corresponds to PCT/WO 98/45745

3. ☐ Submission in Accordance with 37 CFR § 1.98(d).

Any copy of the items listed on the enclosed Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in Application Serial No. [Ser. No.], filed [Date], of which the present application relies upon for an earlier filing date under 35 U.S.C. 120.

4. ☐ Submission in Accordance with 37 CFR § 1.97(b).

This Information Disclosure Statement is being filed

- ☐ With the application;
- ☐ Within three months of the filing date of a national application;
- ☐ Within three months of the date of entry of the national stage in an international application; or
- ☐ Before the mailing date of a first Office Action on the merits,

and NO FEE is due for consideration of this Information Disclosure Statement.

5. ☐ **Submission in Accordance with 37 CFR 1.97(c).**

This Information Disclosure Statement is being filed before the first mailing date of either

☐ A final action under § 1.113; or

☐ A notice of allowance under § 1.311.

☐ A fee is due for consideration of this Information Disclosure Statement and the fee is paid below; or

☐ This Information Disclosure Statement is accompanied by one of the certifications pursuant to 37 CFR § 1.97(e), and NO FEE is due for consideration of this Information Disclosure Statement.

6. ☒ **Submission in Accordance with 37 CFR 1.97(d).**

This Information Disclosure Statement is being filed after the mailing date of either

☐ A final action under § 1.113; or

☒ A notice of allowance under § 1.311,

whichever comes first, but before payment of the issue fee, and is accompanied by

a. One of the certifications pursuant to 37 CFR § 1.97(e), which is set forth below;

b. The attached petition requesting consideration of this Information Disclosure Statement; and

c. The petition fee under 37 CFR § 1.17(i)(1), which is paid below.

7. **Certification Pursuant to 37 CFR 1.97(e).**

☐ The undersigned certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ The undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three

months prior to the filing of this Information
Disclosure Statement.

8. Fee Payment Being Made.

- ☒ Enclosed
 - ☒ \$180.00 fee for submission under 37 CFR § 1.97(c).
 - ☐ \$130.00 fee for submission under 37 CFR § 1.97(d).
- ☒ A check in the amount of \$180.00 to cover the fee payment is enclosed.
- ☐ Charge the fee to Deposit Account No. 50-1529. A duplicate copy of this communication is attached.
- ☒ The Director is hereby authorized to charge payment of any additional fees associated with this Information Disclosure Statement or credit any overpayment to Deposit Account No. 50-1529. A duplicate copy of this communication is enclosed.

Respectfully submitted,



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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/043,009
				Filing Date	January 8, 2002
				First Named Inventor	Ralf Wolleschensky
				Art Unit	2877
				Examiner Name	Fannie L. Evans
Sheet	1	of	1	Attorney Docket Number	500343.20126

U.S. PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US- 4,929,951	05/29/1990	Small	
		US- 5,867,604	02/02/1999	Ben-Levy et al.	
		US- 5,381,236	01/10/1995	Morgan	
		US- 5,003,187	03/26/1991	Zumbrunn et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 98/45745	10/15/1998	Isis Innovation Limited		
		DE 199 30 816	07/01/1999	Carl Zeiss Jena GmbH		
		WO 98/52021	11/19/1998	Mass. Inst. of Technology		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Deposited: **June 7, 2007**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Box Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 223133-1540

/ **Ruth Montalvo** Date: **June 7, 2007**

Customer No. 026418

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. 500343.20126

Confirm. No.: 6106

Applicant(s): Ralf Wolleschensky

Application No.: 10/043,009

Examiner: Fannie L. Evans

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Group: 2877

For: Method and Arrangement for the Deep Resolved Optical Recording of a Sample

Box Petitions ISSUE FEE
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P.O. Box 1450
Alexandria, VA 223133-1540

CERTIFICATION UNDER 37 CFR 1.97 (e)

I certify that the information contained in the Information Disclosure Statement was first brought to my attention in a letter dated June 1, 2007.

Respectfully submitted,

GHK:BS:aw
June 7, 2007
Tel.(212) 521-5400

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/043,009
				Filing Date	January 8, 2002
				First Named Inventor	Ralf Wolleschensky
				Art Unit	2877
				Examiner Name	Fannie L. Evans
				Attorney Docket Number	500343.20126
Sheet	1	of	1		

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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